

OFFICE OF THE DIRECTOR

DEPARTMENT OF MOTOR VEHICLES

P.O. BOX 932328

SACRAMENTO, CA 94232-3280



January 9, 2006

To: Interested Persons

Re: Notice of Modification of Proposed Regulations

Title 13, Article 2.1, Sections 25.06, 25.07, 25.08, 25.10, 25.14,

25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21 and 25.22

Employer Testing Program (ETP)

In accordance with Government Code section 11346.8(c), the Department of Motor Vehicles (department) provides this notice for the purpose of inviting comments regarding modification of the proposed adoption of regulations implementing the Employer Testing Program. The regulatory language as originally proposed in Sections 25.15, 25.18, 25.19, 25.21 and 25.22, of Title 13, California Code of Regulations was published in the California Regulatory Notice Register on August 5, 2005, and provided to interested persons for comment.

The department received both written and oral comments during the 45-day comment period. Based on these comments, it was determined that modifications to the originally proposed text of the regulations are necessary.

Attached is the full text of the proposed regulation. The text includes the originally proposed language as well as the proposed changes to that language. Sections 25.06, 25.07, 25.08, 25.10, 25.14, 25.16, 25.17 and 25.20 were added to allow for limited participation in the Employer Testing Program. The proposed modifications affect **Sections 25.06, 25.07, 25.08, 25.10, 25.14, 25.15, 25.16, 25.17, 25.18, 25.19, 25.20, 25.21 and 25.22**. The language modifications are clearly illustrated by the following methods:

- (1) The language originally proposed to be added to the text is single underlined.
- (2) ~~The language originally proposed to be deleted from the text is overstruck.~~
- (3) *The language currently in Title 13 not originally proposed for amendment, which is proposed to be added to the text, is in italics.*
- (4) *The language now proposed to be added to the text is double underlined and in italics.*
- (5) ~~The language originally proposed to be added which is now proposed to be deleted is overstruck and underlined.~~

Any interested person may submit written comments regarding the changes to the proposed text to the Department of Motor Vehicles, Regulations Unit E-244, Post Office Box 932382, Sacramento, California 94232-3820. The comments must be received at the department no later than 5:00 PM on **January 23, 2006**, in order for them to be considered by the department.

Inquiries concerning the proposed regulatory action may be directed to departmental representative, Christie Patrick, at (916) 657-5567 or by e-mail at cpatrick@dmv.ca.gov.

The department has available the notice of proposed regulatory action, the initial statement of reasons, the original regulatory language, new or revised forms and other

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materials related to the proposed action. The contact person identified in this notice shall, upon request, make these documents available to the public.